

LAST EDITION.

WEDNESDAY EVENING.

TOPEKA, KANSAS, JANUARY 27, 1909.

WEDNESDAY EVENING.

TWO CENTS.

SENATOR BRISTOW

Formal Ratification of His Election Takes Place.

House and Senate in Joint Session Declare His Election.

MANY VISITORS HERE.

Wm. Allen White and Henry Allen Present.

Newly Elected Senator Delivers Address of Acceptance.

Advocates Prison for Corporation Officials Violating Law.

Solicits Advice and Counsel From People of Kansas.

At promptly 12 o'clock today the state senators filed into the hall of the house of representatives in a body and took seats in a long row of chairs placed directly in front of the speaker's platform. Lieutenant Governor Fitzgerald took the speaker's

er's desk was the signal for prolonged and hearty applause.

Myra McHenry Appears. Following the speech of Mr. Bristow to the crowd was singing forward to congratulate him. Myra McHenry appeared and attempted to present him with a "Big Stick" to use in Washington to which was appended one of her choice bits of verse. It was declined.

SENATOR BRISTOW'S ADDRESS.

Expresses Profound Gratitude and Outlines His Views.

The newly declared United States senator, Joseph L. Bristow, in his speech, pledging his devotion to the welfare of Kansas, and the cause of the country said:

"I am profoundly grateful to the people of Kansas for selecting me to represent them in the highest legislative body of our country, and I take this opportunity to most sincerely thank the members of the legislature for the uniform courtesy extended me during the campaign and after the election. Since my nomination, I have not met a single competitor who has been just as zealous in supporting me as the nominee of their party as those who favored my nomination. This has been one of the pleasantest experiences in the contest, and I want to thank you all most sincerely for your support."

A Great Responsibility.

"I am deeply impressed with the great responsibility conferred upon me by this election. Our state has been represented in the United States senate by able and brilliant men; men who have commanded the attention of the

ON A SDE TRACK

Anti Lobby Bill Referred in the Senate.

Judiciary Committee Will Consider Its Provisions.

IT MAY BE CHANGED.

Several of the Sections Will Probably Be Revised.

Eventually Measure Will Be Reported Favorably.

The new anti-lobby bill introduced in the senate will have to "get by" the keen scrutiny of the members of the judiciary committee before the senate has an opportunity to consider it further. President Fitzgerald referred the bill to the judiciary committee Tuesday afternoon.

The members of this committee are: Senator Price chairman, Reed, Hamilton, Myers, Shelby, Robertson, Brewster, Glenn, Gause.

Of this number, five at least are strongly in favor of an anti-lobby bill and it is expected that the majority will insist on a favorable report on the measure with perhaps a few amendments extending the scope of the act somewhat.

Senator Price stated at noon today that he has not as yet received the anti-lobby bill, but he presumed the committee would get together and consider it as soon as possible, probably tomorrow afternoon. However, he expressed no opinion as to just when the bill might be reported back to the senate.

Routine business occupied the time of the senate this morning; a number of new bills of varying importance were introduced and the committee on several bills which were considered Tuesday in committee of the whole.

Immediately after the convening of the senate this morning Private Secretary John Dawson presented communications from Governor Stubbs announcing that he had approved senate bills Nos. 127, 128, and 129, and the latter amending the existing pure food law.

On motion of Senator Chapman the rules were suspended and his bill No. 309, a guaranty bank deposit bill, was read a second time. This bill is a guaranty guaranty act. It creates a bank depositors' guaranty fund which is to be provided by assessing the banks participating one per cent on their average daily interest-bearing deposits. The fund is to be used for the interest bearing deposits, fixing the minimum assessment at \$50 for any bank.

An unfavorable report was submitted by the committee on fees and salaries on the bill requiring district court stenographers to come to Topeka and serve in the legislature, if not employed in court work at the time of the legislative sessions.

The committee on judiciary presented unfavorable reports on a number of bills of greater or less importance. Among the number killed by the committee were No. 127 creating a board of commissioners to establish uniformity with other states in legislation on certain subjects, and senate bill No. 205, the bulk sales act.

The bills considered Tuesday in committee of the whole and recommended for passage were the third and fourth bills passed by the senate this morning session. The acts thus passed were the following:

Senate bill No. 147, by Senator Stewart, No. 290, by the committee on fees and salaries; No. 153, by Senator Chapman; No. 129, by Senator Fowler; No. 98, by Senator Stillings; the substitute for the bill to amend the act relating to cities of the second and third class; No. 152, by Senator Quincy; No. 118, by Senator Lower; No. 143, by Senator Porter; No. 155, by Senator Potter; No. 58, by Senator Cameron; No. 58, by Senator Hodges.

A bill introduced today by Senator Milton, No. 290, is intended to prevent the conviction of any person or association who may buy votes or hire conveyances for the purpose of taking voters to and from places of registration.

Senator Stewart's bill introduced this morning specifies that all freight coaches of the Oregon express on the Union Pacific whirling over and over down an embankment at Dana, 150 miles west of Cheyenne last night. One passenger was killed and about 30 injured, nine severely, but it is believed all will recover. Miss E. Clingman, of Dana, was killed. Her mother, Mrs. Olive Clingman, is suffering from a broken leg.

Others injured are: Everett Friedley, Rising City, Neb., legs and head bruised, serious.

U. S. Smith, McAllister, Ok., right arm broken.

Mrs. E. M. Hickox, Grand Rapids, Wis., shoulder fractured.

E. Barber, Junction City, Kan., arm and shoulders wrenched.

John Pfeiffer, Okon, Ok., back injured.

A. T. Noll, Indianapolis, leg broken.

Celia Nelson, Omaha, shoulder injured, back sprained.

Other passengers consisted mostly of slight bruises and cuts and a severe shaking up.

The wreck did not result in heavy loss of life is considered remarkable.

The two coaches derailed were in the center of the train.

The place where the wreck occurred is on the grade into Plate valley, and the train was traveling at high speed at the time. Nevertheless the other coaches remained on the track. There were nearly 300 passengers on the train.

Four Die in Hotel Fire.

Fort Worth, Tex., Jan. 27.—Four men were burned or suffocated to death and another perhaps fatally burned Tuesday in a fire which practically destroyed the Southern hotel. An explosion caused the fire. The dead have not yet been identified.

Weather Indications.

Chicago, Jan. 27.—Forecast for Kansas: Fair tonight and Thursday.

NAVAL REFORM.

Secretary Newberry Makes Public an Explanation

Of His Plan for Reorganization of His Department.

FOR BUREAU SYSTEM.

Simpler Methods of Administration Are Provided.

A Rearrangement of General Board Is Contemplated.

Washington, Jan. 27.—Secretary Newberry today made public an elaborate explanation of his plan for reorganization of the navy department which recently received the unanimous approval of a conference of men who have been prominent in naval affairs called together at the direction of the president. As has already been stated, the essential features contemplated are the abolition of the bureau system as the navy yard to the end that unnecessary work may be avoided and simpler methods of administration prevail, the enlargement of the naval board of the navy and the reorganization of the board on construction so that there may be more complete co-ordination in the work of the navy department and more general representation on these important boards.

To develop the usefulness and activities of the general board by rearranging its membership is desirable, Mr. Newberry says. He proposes that it consist of the admirals of the navy, the chief of bureau of navigation, the president of the naval war college, chief intelligence officer, one member of the board of inspection and survey, naval aid to the assistant secretary and three of the most efficient line officers of the widest experience afloat.

The members should be in practically daily consultation on all matters affecting the greater interests of the navy and personnel.

Reorganization of the board of construction contemplates a membership of seven line officers and one staff officer, the chief naval constructor. It is to be charged with the supervision of the design, construction and repair of all vessels and is designed to be the effective co-ordinating authority for the manufacturing of material for the navy service.

The duties of the four constructing bureaus viz: equipment, steam engineering and construction, will be reassigned so that the detail drafting and maintaining of the naval service will be done by the bureau of construction. The bureau of ordnance is to retain control and management of the gun factory, the torpedo station, the proving grounds and magazines.

Ultimately the plan of reorganization contemplates the abolition specifically of the bureau of equipment, steam engineering and yards and dockyard. The duties now absorbed gradually by other bureaus. Steam engineering is to become a division of the bureau of navigation with a line officer in charge. This bureau having lost its manufacturing features will be charged with the determination of the type, location, etc., of propelling machinery and its installation.

The secretary believes that in order to promote the efficiency of our ordnance work, and steam and electrical engineering, a certain number of officers should be given an opportunity yearly to specialize in these classes by one or more years postgraduate work at some suitable institution.

Part of the plan which the secretary outlines, he says, has been in effect since June 1, and up to the present time it has not been received one word of criticism, suggestion or protest. It appears to be working for the better military efficiency and proper business administration of the department.

KANSAS MAN HURT

One Dead and 30 Injured in Union Pacific Wreck.

Cheyenne, Wyo., Jan. 27.—A broken rail or broken flange sent two coaches of the Oregon express on the Union Pacific whirling over and over down an embankment at Dana, 150 miles west of Cheyenne last night. One passenger was killed and about 30 injured, nine severely, but it is believed all will recover. Miss E. Clingman, of Dana, was killed. Her mother, Mrs. Olive Clingman, is suffering from a broken leg.

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ROOSEVELT WINS.

Anti-Japanese Legislation in California Postponed

Out of Consideration for the President's Wishes.

OKLAHOMA STATUTE

Is Recommended by the Governor of That State.

The Administration Is Opposed to Any Sort of Action.

Sacramento, Cal., Jan. 27.—On motion of Assemblyman A. M. Drew, action on the anti-alien bill, action on all anti-Japanese bills was postponed for one week, when the measures came up as a special order of business today.

Mr. Drew has held a conference with Governor Gillett and will amend his measure to conform to the wishes of the federal government.

Drew received the following letter from the governor yesterday:

"My Dear Mr. Drew: Your note received. Am inclined to think that the best possible law that can be passed on the question of alien ownership of land would be the law adopted by Oklahoma. You will find it in the session laws of the state of Oklahoma, 1907 and 1908. The book is on file in the state library. The act is on page 481. If I would strike out the first line of the words 'who is not a citizen of the United States' because that is useless as no alien is a citizen of the United States."

"To this bill might be added the last section of your bill, extending the time in which leases can be given for many years on agricultural property, which I think one year is rather short, and inasmuch as this would apply to aliens alike I would be reasonable as to the length of time for which leases should be granted."

"I am also of the opinion that President Roosevelt and Secretary Root will be inclined to request to postpone action on the bill was made in order that he may prepare such amendments as would be acceptable to President Roosevelt. There was no opposition to his measure to suit President Roosevelt and Governor Gillett."

Grove L. Johnson, author of the bills designed to enable the state to obtain corporation directories and segregating them into sections, obtained no special attention aside from a brief speech by Mr. Nelson, a labor assemblyman from San Francisco. Mr. Nelson declared he was opposed to postponement, believing the assembly should go on record at once on the question.

The President's Views.

Washington, Jan. 27.—President Roosevelt's second letter to Governor Gillett, of California, relating to the Japanese situation, now on its way to the chief executive of California, will not be made public at the White House, the discretion of doing this being left with the governor. The letter is understood to advise against legislation of any kind at this time because of a sentiment favoring a non-discriminatory law, prohibiting aliens from holding land in the state and it will be pretty clear from the letter that Mr. Roosevelt has had with California congressmen, including a short conference today with Senator Flint that he would not oppose such a law.

He does not want it understood, however, that he encourages or desires law of this kind, because the Japanese may regard it as being aimed at them, although they may accept its provisions without remonstrance. The president strongly thinks that it would be best to take no action pending the developments of the next two years as to immigration.

Wants No Legislation.

Sensor Flint understands the president's attitude to be one of opposition to legislation of any sort, but in spite of the inclination of the president people to follow the leadership of the president whenever possible the senator is convinced that there will be a law of non-ownership of lands by aliens. This will reach the Japanese directly, although all aliens will be on practically the same footing and Japan could not officially make protest.

Representative Needham of California visited the president today in behalf of Assemblyman Drew, the author of the bill pending in the state legislature, prohibiting alien ownership. Mr. Drew desired to know just what the president's wishes were. The president let it be known that he would not interfere against a non-discriminatory law if it contained a provision that would prevent it being in conflict with existing treaties with Japan or any other countries.

Interpretation of the effect of such a law in connection with the existing treaties is it would prohibit Japanese owning agricultural or other lands, except those to be used for commercial purposes and there could be no interference with ownership of lands for commercial use. The provision might render the law less effective than desired in California. Mr. Needham will inform Assemblyman Drew of the president's views.

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COQUELIN DIES.

Stricken Suddenly on Eve of Expected Great Triumph.

Paris, Jan. 27.—Benoit-Constant Coquelin, the great French actor, whose culminating triumph had been awaited in Edmond Rostand's "The Chanticleer," which is now being rehearsed, died last night at Pont-Aux-Dames, Seine-et-Marne.



Coquelin, the Great French Actor, Who Died Today.

The death of M. Coquelin is an incalculable loss to the French stage. Only a few days ago M. Rostand, who recently has been giving the finishing touches to "The Chanticleer," arrived in Paris from Cambo, and he was ready to begin the rehearsals of the play in which M. Coquelin, who has been leading role was expected to duplicate his famous success obtained in M. Rostand's "Cyrano De Bergerac." Only yesterday M. Coquelin received a telegram from his friends, but he succumbed suddenly at midnight to an acute attack of embolism, from which he long had been a sufferer.

JUDGE IS AN EXPERT.

Attorneys Leave Question of Drunkenness to the Court.

Nashville, Tenn., Jan. 27.—Despite the delay in securing a jury in the case against Colonel Duncan Cooper, Robin Cooper and John D. Sharpe, charged with the murder of former Senator E. W. Carmack, the court room was well filled this morning when Judge Hart mounted the bench to hear testimony in the charges against the two accepted jurors.

John S. Leigh and H. P. Jackson, now in the jury box, were accused by the state of being habitual drunkards. In addition, Leigh was charged with having expressed an opinion. In the Leigh case, the state summoned 15 witnesses and the defense twice as many. In the Jackson case, the state subpoenaed 15 or 20, but the defense had not indicated its action. A venire of 500 men has been drawn and the sheriff is to bring them to court tomorrow for Friday. At that time the work of completing the jury will be resumed.

Hart asked counsel on both sides how they wished to proceed. The defense asked that Jurors Leigh and Jackson be called and told of the charges. The state asked to question the jurors as to having expressed an opinion but said the question of drunkenness must be testified to by witnesses to enable the jury to reach a verdict. "I can get expert testimony on drunkenness right here in the court room," remarked Judge Hart with a smile.

"That is if I need it," corrected the court. "I have some expert knowledge myself." "We will leave it to you, judge," chorused the defendants' attorneys. The counsel on both sides then asked time to consult with witnesses which will be granted.

PRISON FOR LIFE.

Probable Sentence for Stealing \$40,000 From the Mails.

Helena, Mont., Jan. 27.—George Frank Hauser has been found guilty of robbing a train and extracting \$40,000 from the registered mails and placing the lives of the custodians in jeopardy, by the jury in the federal court here and will be sentenced Thursday. Under the law he must serve the rest of his life in a federal prison at hard labor. It is probable that Frank Hauser will be sent to Leavenworth, Kansas.

Weather Still Pleasant.

As far as the general observer is concerned the weather conditions in Topeka are all that could be desired. The conditions are all that could be desired. The weather has been above normal for this season of the year all day and the sun has shone with summer brilliancy. As far as weatherman Jennings can see the same conditions will prevail for the next 36 hours and there is nothing to indicate that the "spell" will be broken at that time. The ten mile an hour wind which prevails in from the south. The following were the temperatures in Topeka since 7 o'clock this morning:

7 o'clock 30 11 o'clock 48
8 o'clock 30 12 o'clock 55
9 o'clock 36 1 o'clock 54
10 o'clock 41 2 o'clock 58

Wants Japanese Consul Recalled.

Sacramento, Cal., Jan. 27.—Senator Marc Anthony introduced in the upper house this morning a joint resolution calling upon congress to request that the Japanese consul at San Francisco be recalled by his government on the ground that the official had attempted to influence the action of the California legislature.

ARE NOT SO SURE

Members of House Fight Drug Store Bill.

Consider Some of Its Provisions Too Extreme.

NEW MARRIAGE BILL.

Designed to Prevent Union of Whites and Blacks.

Jewett Has Measure to Pay Wages to Convicts.

The house upon commencing this morning proceeded, immediately after introduction of bills, to again consider Jackson's anti-drug store bill and quickly disposed of section one. The wheels of the wagon had been greased over night and with John Marshall sitting beside Cunningham of Cowley, the latter individual pulled harder than ever in the traces. The state board of three persons to control all druggists' permits as provided in section one goes, and the amendment to elect this board by the people was postponed. Cunningham and Brown of Kingman had a plan to control all druggists' permits as provided in section one goes, and the amendment to elect this board by the people was postponed. Cunningham and Brown of Kingman had a plan to control all druggists' permits as provided in section one goes, and the amendment to elect this board by the people was postponed.

Allen of Wyandotte, who had supported the bill so far, kicked over the traces in section two when the drastic points of the law began to rise up like mountains in the way.

The big meeting with more opposition in the majority today than it did Tuesday.

Many Republican members have stated in private that they were opposed to the bill. The committee of the whole was still struggling with section two of the bill.

Lamberton of Brown introduced a bill today amending the law in relation to the intermarriage of whites and negroes that should become a law. It amends the old law to read as follows: All marriages between persons and children, including grandparents and grandchildren of any degree, between brothers and sisters of the one-half as well as the whole blood and between uncles and nieces, aunts and nephews, between first cousins and between persons, one of whom is a member of the Caucasian or white race and the other is a member of the Ethiopian or black race, or the Mongolian or yellow race, are declared to be incestuous and absolutely void. This section shall extend to legitimate as well as legitimate children and relations.

Allen of Wyandotte introduced a bill today which provides that all gas companies and corporations shall, before laying any gas pipes or mains in a county or city, obtain from the county commissioners a permit to do so. The county commissioners are authorized to grant this permission upon such terms as they may see fit. A contract between the gas company and the county provided that such use of the public highways shall not endanger the highways and make them unsafe for travel.

Jewett of Sedgewick in his bill introduced today makes provision for paying wages to convicts in the penitentiary as follows: The warden of the penitentiary shall ascertain the average task and pay of workmen performing the same work outside the penitentiary and shall, in assigning tasks to the convicts, require them to do an ordinary day's work for the state at a rate not less than the credit of labor and after three-fourths of their pay therefore has been deducted to the state for payment for convict's expenses and the other fourth is placed in a fund set aside for the benefit of the convict when he is released. From this fund certain money can be taken and applied to the maintenance of the convict or those dependent upon him. At least \$25 shall be kept in this fund to be paid to the convict upon his release from prison. If there is no money in the fund the credit of the convict when he is released, shall be held for him and paid out to him at certain intervals provided that the convict has performed his task within one year after his release.

The bill is carefully drawn and contains wise and practical provisions.

New Bills in House.

H. B. No. 467. By Feder of Barton.—An act making it a misdemeanor for any state, county, township or city officer to fail to cause publication to be made of any matter or information required to be published by such officer.

H. B. No. 468. By Feder of Barton.—An act providing that all legal publications required by law to be published in the state shall be legal publications if the same are made once a week in a daily newspaper which is authorized by law to print such legal publications and providing that such weekly publications shall be made in the edition of such daily paper printed and published upon Thursday.

H. B. No. 469. By Feder of Barton.—An act authorizing the board of county commissioners to designate an official county paper provided for publications therein and defining the requirements of any paper that shall be designated as an official county paper.

H. B. No. 470. By Lamberton.—An act relating to the taxation of the stock of live stock dealers and live stock feeders.

H. B. No. 471. By Lamberton.—An act in relation to road drag.

H. B. No. 472. By Lamberton.—An act in relation to marriage.

H. B. No. 473. By Lamberton.—An act to provide for improving the public highways by use of road drag.

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Joseph L. Bristow, the New Senator from Kansas.

chair and called the assembled body to order for the purpose of performing the last legal act that should make Joseph L. Bristow of Salina the United States senator for Kansas for the six-year term beginning March 1, 1909.

The galleries of the house were filled with spectators and every available foot of space on the floor of the house was crowded with friends of the senator-elect, his family and the friends and relatives of members of the legislature and with many distinguished Kansans and their families from every section of the state. The lobby in the rear of the house was crowded with persons who stood up to see the ceremonies, among them being many state officials and state house attaches.

Mrs. J. L. Bristow and sons, Frank and Edward, and Mr. Bristow's father, W. Bristow, sat just to the right of the speaker's stand. William Allen White, as he looked at the scene today, must have oozed satisfaction from every pore, for did he not have a vision a year ago in which was pictured every incident that took place in the house today? And when he awoke he drew a word picture with his mighty pen of all he saw and thought. He said that he might as well have drawn the sword of the politician or the sledge hammer of the ward boss, such it prevailed against those in high places.

The members of the legislature arose to hear the chaplain's invocation. The clerks of the house and senate read the proceedings of their respective bodies of the day before when by separate vote the house had voted 83 to 40 and the senate 24 to 6 for Joseph L. Bristow for United States senator.

The ceremonies were impressive in spite of their simplicity and brevity. When the representatives of the people of a great state assemble in the state house to select a representative for the highest office in the gift of the state, such a gathering is impressive in itself.

All the aisles and lobbies of representative hall were packed with spectators, and chairs occupied all the space to the right and left of the speaker's desk. The hall was as quiet as the tomb during the proceedings.

Election Is Announced.

After the reading of the house and senate journals President Fitzgerald announced the election of Mr. Bristow to the senate of the United States.

On motion by Hopkins of Finney the chair was authorized to appoint a committee of three from the house and two from the senate to escort the senator-elect to the chair. The following committee was appointed: Hopkins of Finney, Foley of Rice, Morgan of Reno, Hamilton of Shawnee and Chapman of Barton.

When this committee appeared in the central aisle with Mr. Bristow the members of the legislature arose and cheered heartily.

President Fitzgerald introduced Senator Bristow in a half-dozen words and the senator's appearance at the speaker's

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